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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/659,999	09/12/2000	Masahiro Umeshita	SOHSH8.001AUS	6327

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EXAMINER

LEON, EDWIN A

ART UNIT PAPER NUMBER

2833

DATE MAILED: 04/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/659,999

Applicant(s)

UMESHITA ET AL.

Examiner

Edwin A. León

Art Unit

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-- Th MAILING DATE of this communication appears on th cover sheet with the corr spondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment filed March 11, 2003 in which Claims 1 and 3 have been amended and Claim 7 has been cancelled, has been placed of record in the file as Paper No. 14.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Urani (U.S. Patent 4,391,485) in view of Bixler et al. (U.S. Patent No. 5,118,306). With regard to Claim 1, Urani discloses a fuse connection box (10) comprising a fuse (16) and a housing (12), the housing (12) being divided into a first side housing (14) in which a first side terminal (38) of an end of a first side wire (18) is assembled, and a second side housing (14) in which a second side terminal (38) of an end of a second side wire (18) is assembled, the first side housing (14) and second side housing (14) having portions (22,24,26,32,34,36) for engagement with each other, and the first side housing (14) and

second side housing (14) being engaged to form a single housing (12) in which the fuse (16) can be attached. The method limitations are deemed inherent. See Figs. 1-4.

However, Urani doesn't show the first and second housings being pre-assembled with the first and second wires, such that the first side wire is substantially enclosed within first side housing and such that the second side wire is substantially enclosed within second side housing.

Bixler et al. discloses the concept of having first and second members (22a-b) being pre-assembled with first and second wires (40), such that the first side wire (40) is substantially enclosed within first side member (22a) and such that the second side wire (40) is substantially enclosed within second side member (22b). See Figs. 1-7.

Therefore, it would have been obvious to one with ordinary skill in the art to modify the housings of Urani by pre-assembled them with first and second wires as taught in Bixler et al. in order to simplify the assembling process and make it more efficient.

With regard to Claim 2, Urani discloses the first side housing (14) and the second side housing (14) are of identical shapes having first engagement portions (22,24,26) at one end in the direction of arrangement of fuses (16) and having second engagement portions (32,34,36) of shapes engaging with the first engagement portions (22,24,26) at the other end. See Figs. 1-4.

4. Claims 3-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Urani (U.S. Patent 4,391,485) in view of Bixler et al. (U.S. Patent No. 4,560,227) and Call (U.S. Patent 4,758,184). With regard to Claims 3-6 and 8, the combination of

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Urani and Bixler et al. disclose the claimed invention except a protective cover having a protective frame.

Call discloses a fuse connection box (10) comprising a protective cover (20) having a protective frame (23) attached to a first side housing (42) and second side housing (40) so as to cover a fuse (52) in a state where the first side housing (42) and the second side housing (42) are connected and the fuse (52) attached. See Figs. 1-5.

Thus, it would have been obvious to one with ordinary skill in the art to modify the connection box of Urani and Bixler et al. by including a protective cover having a frame as taught in Call to make the box resistant to vibration and rough use.

### ***Response to Arguments***

5. Applicant's arguments filed March 11, 2003 have been fully considered but they are not persuasive. In response to applicant's argument that the Bixler et al. reference is nonanalogous art, Applicant is reminded that the Bixler reference is only used to teach that is well known in the art to have first and second housings being pre-assembled with the first and second wires, such that the first side wire is substantially enclosed within first side housing and such that the second side wire is substantially enclosed within second side housing. It is the Examiner's opinion that one with ordinary skill in the art would pre-assembled the housings of Urani as shown in Bixler et al. since it is well known in the art that this would simplify the assembling process and would make it more efficient.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to Applicant's arguments regarding Claims 1 and 3 that the Bixler et al. reference does not show a connection box, the terminals being substantially enclosed within the housing, Applicant is reminded that the Bixler et al. reference is only used to teach that is well known in the art to have first and second housings being pre-assembled. Also Applicant is reminded that the term "substantially" is broad enough that it would read on the Bixler et al. reference.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

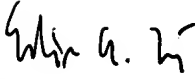
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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

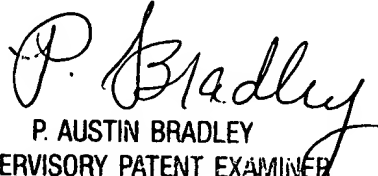
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

  
Edwin A. Leon  
AU 2833

EAL  
April 23, 2003

  
P. AUSTIN BRADLEY  
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